#5 (Election 1/4/02 VS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**HORIGUCHI et al.**

Group Art Unit: **2811**

Serial No.: **09/726,386**

Examiner: **T. Tran**

Filed: **December 1, 2000**



For: **SEMICONDUCTOR MEMORY WITH FLOATING GATE TYPE FET**

# RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Date: December 31, 2001

Sir:

This paper is submitted in response to the Official Action dated November 30, 2001.

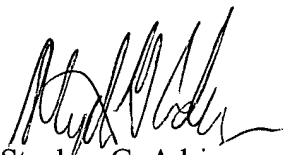
In the Action, restriction is required between Group (I), claims 1 - 5 drawn to a semiconductor device; and Group (II), claims 6 - 11 drawn to process of making a semiconductor device.

Applicants hereby elect the subject matter of Group (I), claims 1 - 5 for prosecution in this application. This election is made without traverse, it being understood that the applicant's right to the filing of a Divisional application directed to the non-elected subject matter under 35 USC §120 and 35 USC §121 is retained.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,
McLELAND & NAUGHTON, LLP



Stephen G. Adrian
Attorney for Applicants
Reg. No. 32,878

Atty. Docket No. **001497**

1725 K Street, N.W., Suite 1000
Washington, DC 20006
Tel: (202) 659-2930
Fax: (202) 887-0357

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